

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Sahari et al.

Application No.: Not Yet Known

Filed: Not Yet Known

For: DEVICE FOR THE ANALYSIS OR
ABSORPTION MEASUREMENT OF A
SMALL QUANTITY OF A LIQUID MEDIUM
BY MEANS OF LIGHT

Group: Not Yet Known

Examiner: Not Yet Known

Our File: SMB-PT184

(PC 05 196 M US)

Date: October 6, 2006

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to Applicants' Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicants wish to bring to the Examiner's attention the material cited on the enclosed PTO-1449 form. Copies of the cited documents are enclosed.

Pursuant to 37 C.F.R. §1.98(a)(2)(ii), copies of the cited U.S. publications and/or patent documents have not been included.

The references cited in this Information Disclosure Statement were either listed in an International Search Report in the corresponding International Application or cited in the German Office Action from the original priority application, copies enclosed.

Of the non-English language references cited in the International Search Report, EP 0660 106, the Abstract and Figures, was cited as Category A. US 4,643,580 has been cited as equivalent to DE 33 44 387.

DE-OS 2 255 471 was cited in the Examination Report dated 26 January 2005 from the German Patent Office in the parent German application 10 2004 023 178.8.

The action states the pertinence of the references as:

From publication 1) [DE-OS 2 255 471], in particular Figure 1, and the associated text, an arrangement for photometric analysis is known, for a fluid test, such as a drop, where the arrangement has a receiving point area on a top surface for holding the medium and in a vertical position of use, underneath the receiving point, a light inlet and a light outlet.

The horizontally oriented light outlet having an arrangement to guide the light upwardly for example to a detector, is known in the publication 2) [EP 0 660 106], in particular Figures 2 and 4 with the corresponding text.

Claim 1 is therefore not patentable as lacking an inventive step.

Applicants have submitted U.S. 3,734,622, which is the equivalent U.S. Patent to DE-OS 2 255 471.

Applicant: Sahari et al.
Application No.: Not Yet Known

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his consideration of the cited materials.

Respectfully submitted,

Sahari et al.

By__/Randolph J. Huis/____
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RJH/dmm

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		Application Number		
		Filing Date		
		First Named Inventor	Sahari et al.	
		Art Unit		
		Examiner Name		
		Attorney Docket Number	SMB-PT184 (PC05196MUS)	

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	2	3734622		1973-05-22	Stanford L. Adler			
	3	4643580		1987-02-17	Gross et al.			
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	1	0660106	EP		1995-06-28	Peter Mayer		<input type="checkbox"/>

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		
	Filing Date		
	First Named Inventor	Sahari et al.	
	Art Unit		
	Examiner Name		
	Attorney Docket Number	SMB-PT184 (PC05196MUS)	

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NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
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EXAMINER SIGNATURE

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	
Filing Date	
First Named Inventor	Sahari et al.
Art Unit	
Examiner Name	
Attorney Docket Number	SMB-PT184 (PC05196MUS)

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

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☐ See attached certification statement.

☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Randolph J. Huis/	Date (YYYY-MM-DD)	2006-10-06
Name/Print	Randolph J. Huis	Registration Number	34626

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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